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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,088	02/06/2004	Colin N. Gunn	16011.1.1	2164
52005	7590	06/02/2006	EXAMINER	
WORKMAN NYDEGGER / POWER MEASUREMENT			NGUYEN, TUNG X	
60 E. SOUTH TEMPLE			ART UNIT	PAPER NUMBER
SUITE 1000			2829	
SALT LAKE CITY, UT 84111				

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A

<b>Office Action Summary</b>	<b>Application No.</b> 10/774,088	<b>Applicant(s)</b> GUNN ET AL.	
	<b>Examiner</b> Tung X. Nguyen	<b>Art Unit</b> 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-92,96,97 and 100-102 is/are allowed.
- 6) ☒ Claim(s) 93-95,98 and 99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 93 is objected to because of the following informalities:

As to claim 93, it is not clear that "the current a result of a body capacitance of the apparatus and a voltage of the power line". Appropriate correction is required.

To apply the art, Examiner assumes that the current flow resulting from the body capacitance of the apparatus and voltage of the power line.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 93-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kline (u.s.p 6,933,835).

As to claim 93, Kline discloses in Figs. 5-6, a method for powering an apparatus (200 of figure 5) mountable coupled with a power line (120 of figure 5) carrying a high AC line voltage, the method comprising: mounting the apparatus (200 of figures 5, 6) such that a current flow occurs between the power line and a conductive portion of the apparatus (col. 9, lines 42-48, via 680, 682 of figure 6), the current flow in the apparatus (flow through 606 and transmitting to 612) and a voltage of the power line (via 682); converting the current flow into a supply of power at a voltage substantially lower than

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the high AC line voltage (col. 9, lines 42-48); and providing the supply of power to electronic circuitry (610, 612 of figure 6) coupled to the apparatus (200 of figure 6). Kline does not teach the conductive body having a body capacitance. However, It would have been obvious to a person having ordinary skill in the art at the time the invention to recognize the conductive body (200 of figure 5) generating the capacitance between the conductive body and the power line (120 of figure 5).

As to claim 94, Kline discloses in Figs. 5-6, it appears that the high AC line voltage is greater than ten thousand volts.

As to claim 95, Kline discloses in Figs. 5-6, the electronic circuitry comprising at least one of a voltage sensor (680) and current sensor (602).

As to claim 98, Kline discloses in Figs. 5-6, an apparatus for mounting coupled with a power line carrying a high AC line voltage, the apparatus comprising: first means (680, 682 of figure 6) coupled to the conductive body and operative to be coupled to the power line for converting current flow between the power line and the conductive body to a supply of power at a voltage substantially lower than the high AC line voltage (col. 9, lines 42-48); the current flow resulting from the apparatus (200 of figure 6) and a voltage of the power line (col. 9, lines 42-48); second means (610, 612 of figure 6) coupled to the supply of power (682) for performing an electronic function. Kline does not teach the conductive body having a body capacitance. However, It would have been obvious to a person having ordinary skill in the art at the time the invention to recognize the conductive body (200 of figure 5) generating the capacitance between the conductive body and the power line (120 of figure 5).

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As to claim 99, Kline discloses in Figs. 5-6, it appears that the voltage substantially lower than the high AC line voltage is less than one hundred volts; and the high AC line voltage is greater than ten thousand volts.

***Allowable Subject Matter***

4. Claims 1-92, 96-97, 100-102 are allowed.
5. The following is an examiner's statement of reasons for allowance:

As to claim 1-92, 96-97, 100-102, the prior art using the non-electrically conducting communication path. Therefore, the prior art does not teach the limitations of a power supply comprising at least two input terminals ; a first of the at least two input coupled to the conductive body and a second of the at least two input terminals operative to be coupled to the power line; in combination with the other claimed features.

***Response to Arguments***

6. Applicant's arguments with respect to claims 93-95, and 98-99 have been considered but are moot in view of the new ground(s) of rejection. Furthermore, the withdrawn claims rejoined in the application, because they have the same allowance subject matter.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

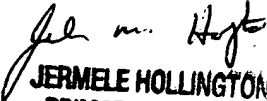
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X. Nguyen whose telephone number is (571) 272-1967. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha T. Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN  
5/26/06

  
JERMELE HOLLINGTON  
PRIMARY EXAMINER  
A02829  
05/30/06